

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

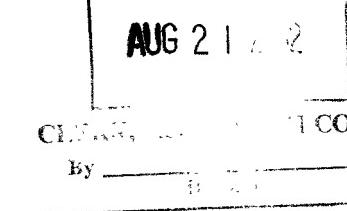
etj w/o
ORIGINAL
ASPEX EYEWEAR, INC. et al.,

Plaintiffs,

vs.

E'LITE OPTIK, INC.,

Defendant.



CIVIL ACTION NO. 3:98-CV-2996-D

UNOPPOSED MOTION FOR LEAVE TO
FILE MOTION TO WITHDRAW WITHOUT STATING REASON

1. Robert M. Mason, and his firm, Mason & Petrucci, wish to withdraw from representing Defendant, E'lite Optik, Inc., pursuant to Local Rule 83.12. E'lite has selected new counsel and new counsel have made an appearance and participated in the July 19, 2002 informal status conference. The succeeding attorneys are:

Bruce S. Sostek,
Jane Politz Brandt,
Max Ciccarelli, and
Richard L. Wynne, Jr.
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2. Local Rule 83.12 requires the withdrawing attorney to specify the reasons requiring withdrawal. Mason & Petrucci hereby seek leave to file a motion to withdraw under Local Rule 83.12 without stating the reasons for the withdrawal. Opposing counsel does not oppose this motion.

Respectfully submitted,



Robert M. Mason

State Bar No. 13158240

MASON & PETRUZZI

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ATTORNEYS FOR E'LITE OPTIK, INC.

CERTIFICATE OF CONFERENCE

I, Max Ciccarelli, counsel for E'lite Optik, Inc. conferred with Barry J. Schindler, counsel for Aspex Eyewear, Inc., et al, on August 12, 2002 regarding the relief sought in this Motion. Mr. Schindler stated that his clients do not oppose this Motion.



Max Ciccarelli

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been sent by facsimile and ~~certified~~
mail, ~~return receipt requested~~, to all counsel of record on this the 8th day of July, 2002, as follows:

16 August

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Brett Christopher Govett
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Robert M. Mason

Robert M. Mason